



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

FILED  
**JAN 03 2019**  
PURSUANT TO RCH 3-203

ORDINANCE \_\_\_\_\_  
BILL **6(2018)**

---

**A BILL FOR AN ORDINANCE**

---

RELATING TO PUBLIC NUISANCES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to regulate nuisances on public sidewalks.

SECTION 2. Section 29-16.6, Revised Ordinances of Honolulu 1990, is amended to read as follows:

**"Sec. 29-16.6 Exceptions.**

The prohibitions in this article shall not apply to the following:

- (1) An object or collection of objects smaller than 42 inches in length, 25 inches in width, and 43 inches in height, provided that:
  - (A) The object or collection of objects is attended to by an individual at all times;
  - (B) The object or collection of objects, or any portion thereof, does not extend into the roadway;
  - (C) The object or collection of objects does not obstruct the use of 36 inches in width of the sidewalk and does not obstruct the free movement of pedestrians;
  - (D) The object or collection of objects does not obstruct individuals from access to or egress from legally parked vehicles;
  - (E) The object or collection of objects does not interfere with other lawful activities taking place on the sidewalk and its placement complies with other provisions of this chapter; and
  - (F) The object or collection of objects does not otherwise threaten public health and safety.

Provided further than this exception (1) does not apply in the Waikiki Special District, as identified by Section 21-9.80-2.



## A BILL FOR AN ORDINANCE

---

- (2) An object or collection of objects used in the performance of a government-approved public safety, maintenance or construction function; or
- (3) Tables or other portable outdoor furniture or items used for the purpose of displaying literature or other expressive material or otherwise directly facilitating expressive activities; provided that the tables, furniture, or items:
  - (A) Are attended to by an individual at all times;
  - (B) Do not extend into the roadway;
  - (C) Do not obstruct the use of 36 inches in width of the sidewalk and do not obstruct the free movement of pedestrians;
  - (D) Do not obstruct individuals from access to or egress from legally parked vehicles;
  - (E) Do not interfere with other lawful activities taking place on the sidewalk and comply with other provisions of this chapter;
  - (F) Do not otherwise threaten public health and safety; and
  - (G) Are not larger than five feet by two feet or ten square feet for each individual engaging in the expressive activity."

SECTION 3. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include underscoring.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL 6(2018)

**A BILL FOR AN ORDINANCE**

SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY

*[Signature]*

DATE OF INTRODUCTION:

**JAN 25 2018**

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

KIRK CALDWELL, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE

**BILL 6 (2018)**

Introduced: 01/25/18 By: TREVOR OZAWA Committee: BUDGET

Title: A BILL FOR AN ORDINANCE RELATING TO PUBLIC NUISANCES.

Voting Legend: \* = Aye w/Reservations

01/31/18	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, SAFETY AND ECONOMIC DEVELOPMENT. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
03/17/18	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
03/22/18	PUBLIC HEALTH, SAFETY AND ECONOMIC DEVELOPMENT	CR-114 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.  CC-93 MARTIN - RE-REFERRAL OF BILLS, RESOLUTIONS AND COMMUNICATIONS.
03/28/18	COUNCIL/PUBLIC HEARING	CR-114 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON BUDGET. 8 AYES: ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. 1 ABSENT: ANDERSON.
04/04/18	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
04/18/18	BUDGET	CR-137 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.
04/25/18	COUNCIL	CR-137 AND BILL 6 (2018) WERE RECOMMITTED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
10/17/18	BUDGET	CR-346 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.
11/14/18	COUNCIL	CR-346 ADOPTED AND BILL 6 (2018) PASSED THIRD READING. 9 AYES: ANDERSON*, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN*, MARTIN, MENOR*, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
F GLEN I. TAKAHASHI, CITY CLERK

  
AN ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

CERTIFICATE

I hereby certify that on November 16, 2018, Bill 6 (2018) was presented to the Honorable Kirk Caldwell, Mayor of the City and County of Honolulu, for his approval or otherwise; that on December 3, 2018, the Mayor returned said Bill vetoed; and that the Council failed to reconsider the vote on the Bill within the period specified by Section 3-203 of the Revised Charter.

Dated, Honolulu, State of Hawaii, this 3<sup>rd</sup> day of January, 2019.

CITY COUNCIL

By   
KIMBERLY MARCOS PINE  
Council Chair Pro Tempore

ATTEST:



*for* GLEN I. TAKAHASHI  
City Clerk